

EARLY MAY BRING SUIT FOR DAMAGE

Alleged Leper Bitterly Denounces Arrest and Detention.

(Continued from First Page.)

went to the latter place about six weeks ago and have been happy on a farm since.

"No, I don't care to say where my wife is, except that she is near Manchester. She will probably hear from me today and may come to Washington tonight.

Declines To Answer.

Early refused to divulge the name of his attorney, but the telegram received from Everett today clear up this feature of the reopened case. The imprisoned man also refused to say whether a contingency such as has arisen now ever had been discussed between him and his prospective legal representative.

The attorney, Early declared, is his personal friend. It is understood that the two became acquainted several years ago when Early, in his work as captain in the Salvation Army, was stationed at Plattsburg.

Health Officer Woodward made the following statement this morning regarding Early's prompt arrest upon his return to Washington:

"Our duty is to protect the public," said Dr. Woodward today. "Early will not be permitted to remain at large in Washington, and under the health laws will be confined in quarantine, but under the same agreement which was made upon the occasion of his previous departure he will be allowed to leave the District at any time he feels so disposed."

Wants Committee.

"I am willing that he be examined by a committee to consist of a doctor of his own choosing and a representative of the Health Department and if these two do not reach an agreement they may bring a third physician into the conference. I will agree also to leave the settlement of the question to the Public Health and Marine Hospital Service."

In my opinion, Early has leprosy. But if the health authorities of New York or any other State are willing to receive him I will not place obstacles in the way of his departure from the District."

Woodward Satisfied.

Dr. Woodward said he felt no uneasiness at the prospect of a suit instituted against the District authorities for false arrest and imprisonment.

"Early has no basis for such action," said the Health Officer. "and, in my opinion, would not have, even if it were proven to the satisfaction of the courts that he is not now suffering from leprosy. If there were ground for a suit, I say in his previous detention. It was not necessary to again come to the District in order to court arrest for the purpose of recovering damages."

On the Streets.

After his arrival in Washington, Early made no attempt whatever to conceal his identity. Considering the notoriety he has heard for more than a year past, it is regarded as strange that Early was not recognized upon the streets. Even at the Municipal Building, into which Early drifted late yesterday afternoon, the alleged leper passed guards and District employees without being recognized.

Early's presence in the city became known officially when he went out to renew his acquaintance with Superintendent Repetti, at the quarantine station. The man who had formerly been under Mr. Repetti's care was nattily dressed in a business suit, and but slightly resembled the long-haired, spotted-faced man the guard formerly had known.

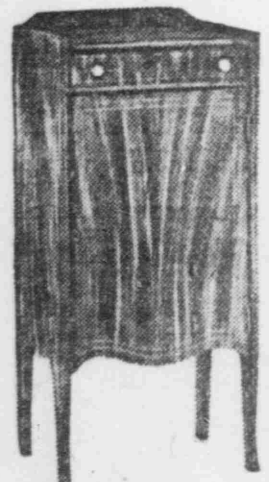
After conversing a few minutes with his former guards, Early started back toward the city. At the same moment, Mr. Repetti rushed for a telephone and advised Dr. W. C. Fowler, chief of the Bureau of Contagious Diseases, that his erstwhile patient was once more within the jurisdiction of the District. Taken completely by surprise, Dr. Fowler hastily conferred with Health Officer Woodward, and within a few moments it had been decided to obtain a warrant for Early's arrest on a charge of exposing others to contagious diseases.

Early, in the meantime, had continued his jaunt about the Capital, Learning, or, perhaps, anticipating a warrant had been issued for his arrest.

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Early walked into the Fifth precinct shortly after 3 o'clock, intruding himself to Captain Williams, and surrendered himself.

Plans Kept Quiet.

Later in the night, the alleged leper expressed surprise that he should have been molested, while on a visit to the Capital, but at the same time, refused to say anything definite as to his plans until his New York lawyers had advised him in the premises.

From Early's demeanor, it seemed almost as though he had anticipated the entire program as carried out. "My lawyers already know all about it," he said, significantly, soon after being re-confined in the house near the quarantine station. It was noticeable, however, that Early's jaunty manner rather wore off as the night approached, and he again faced at least a temporary isolation.

When Dr. Fowler heard of Early's surrender to the police, he hastened at once to the Fifth precinct. Early shook hands and chatted pleasantly with the physician for a moment or so.

"We'll have to lock you up," said Dr. Fowler. "We will arrange to have you examined by the best bacteriological experts. If it is found you are not suffering from leprosy, we will willingly release you."

Early said something about preferring to hear from his counsel. Since leaving Brooklyn, Early told some of his former guards, he has lived quietly with his family near Manchester, Va. His visit to Washington, he declared, had been for the purpose of obtaining \$196.80 pension money which he claims is due him.

Pension Withdrawn.

It will be recalled that when Early was carried to New York by Dr. L. Duncan Bulkley, who has always averred that he was not a leper, the Government pension of \$72 per month, for total disability, was withdrawn. Dr. Bulkley said today that he understood Early would demand pension money from the time he was taken to New York. In July, until the alleged leper's name was formally stricken from the pension rolls at a September meeting of the Pension Board. He reiterated his belief that Early is not suffering from leprosy, declaring at the same time that a firm of New York lawyers had agreed to assist him if he had further trouble with the District of Columbia.

HUNDREDS POISONED IN GERMAN ASYLUM

BERLIN, Dec. 2.—Five hundred and forty-seven patients in the asylum at Friedrichsberg are ill from the effects of poisoned rice, which is supposed to have been given them by an employee. Two patients have died, and sixty-eight cases are considered hopeless.

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EARLY A SOUND MAN; DRAWS NO PENSION

Is Free From Leprous Taint, Declares Commissioner Davenport.

In the eyes of the Pension Office John Early is a sound man, free from any taint of leprosy.

The Pension Office will decline to recognize any other diagnosis of his case, either that of the District or of other health authorities, unless confirmed by the office's staff of physicians.

The only way for Early to regain the payment of his pension is to apply for restoration to the pension roll on the ground that he is a leper and have this opinion confirmed by Pension Office physicians. Since he is trying to prove that he is free from leprosy it is not likely that Early will try to regain his place on the pension rolls.

This is the status of Early's case at the Pension Office as defined by Commissioner of Pensions J. L. Davenport this morning.

Owes Payment.

It also developed that the Pension Office still owes Early the last payment on his pension before he was dropped. The sum which awaits Early's call is \$196.80 and represents his pension from June 4, the date of the last payment to him, to August 25, the day on which his name was stricken from the rolls, at the rate of \$72 per month.

Early has in his possession a voucher which is all the identification needed to procure him the payment of this sum. This voucher was mailed to him only a little more than a month ago at an address in Virginia, furnished by Representative W. C. Hawley of Oregon. The voucher was held at the Pension Office because Early's whereabouts was not known to the pension office officials.

No Bearing On Case.

"Whether Early is declared a leper by the District or any other body has no bearing on his standing at the Pension Office," declared Commissioner Davenport this morning.

"The examination which resulted in stopping his pension was made by sworn examining physicians of the Pension Office."

See. Care was taken that specialists in skin diseases should be on the examining board. Of course, Dr. Bulkley's verdict that Early was free from the taint suggested to us that an examination should be made, but his verdict was not the basis for our action."

The surmise that Early came to Washington to collect his pension money was disproved by the statement of Commissioner Davenport that pension money was not paid on personal application. The voucher may be presented in person or mailed, but the payments are invariably made by mail.

BARRY GARRISON PLEADS FOR EARLY

The cause of Early has been taken up by the members of Gen. William H. Barry Garrison, No. 25, Army and Navy Union. Early is a member of Porter Garrison of the same organization.

Though the Barry Garrison has been dormant since the surrender of his charter about a month ago it was brought together last evening and espoused the cause of its member.

A resolution was passed which declared that, in the belief of its members, Early is not a leper. A committee was appointed to present to President Taft the organization's view of the case. On the committee were appointed Charles W. Bush, Lemuel Fugitt, and E. L. Leckie.

STENOGRAPHER IN CHARGE.

NEW YORK Dec. 3.—Arthur W. Pye, for two years general passenger agent of the Mallory Steamship line, has been appointed general passenger agent of the Clyde Steamship line. Both lines are under the same management. Twelve years ago Mr. Pye was a stenographer.

CLUB TO ENTERTAIN.

A children's entertainment and competition will be held this evening at Eagles' Hall, under the auspices of the Caledonian Club. A program of specialties is promised.

TIME FINALLY SET FOR SMITH TRIAL

Charged With Being an Accomplice of Murder in Alexandria.

WASHINGTON TIMES BUREAU, ALEXANDRIA, VA., DEC. 2.

Henry Smith, the negro who has three times, on the stand in the Alexandria court, told of being compelled to witness the murder of Walter S. Shultz, will be placed on trial January 6, for his part in the crime.

This was decided upon today. Upon the suggestion of Commonwealth's Attorney Brent, Judge Barley appointed Attorneys R. D. Brumback and F. P. Russell as counsel for the defendant.

It was upon Smith's testimony that the negroes, Johnson, Pines, and Dorsey were convicted for the murder and sentenced to death. The Commonwealth contends that it will disprove Smith's story about being compelled to be an unwilling party in the crime.

Lewis Connor, white, and James Johnson and Joseph Dudley, colored, are today on trial in the corporation court for having in their possession cocaine.

The case occupied the attention of the court during practically the whole day.

The Commonwealth is represented by Attorney S. G. Brent, while Attorney F. P. Russell appears for the defendants.

Arguments on a petition for the removal of funds in the hands of a trustee.

In this State belonging to William Watson to a committee in the District of Columbia were argued before Judge Barley this morning by Attorney S. G. Brent, for Watson, and Attorney O'Donoghue, for the Washington committee. Judge Barley refused to grant the removal of the funds.

Miss Ruth A. Grillbortzer and R. Lee Maskey, both of this city, went to Rockville last evening and were married shortly after midnight by the Rev. Thomas J. Packard, of Christ Episcopal Church. Miss Grillbortzer is one of the belles of Alexandria, while the bridegroom is a young business man.

Red Cross stamps are being extensively used by Alexandria society on invitations and visiting cards. They are becoming more popular every day, and the Times agencies having them on sale report a good business.

A meeting of the city school board was held at Lee school building, in Prince street last evening. A number of bills were ordered paid and several committees made reports relative to school business. No date was set at the meeting last evening for the closing of the public schools for the Christmas holidays.

Emil Kramp, son of Lewis and Lizzie Kramp, died at his home, 29 Commerce street, last evening. Mr. Kramp was twenty-one years of age.

The funeral of Mrs. Beattie Gorham will be held at her home in North Columbus street extended tomorrow afternoon at 3 o'clock.

The funeral of Miss Mary E. Gentry will be held from her home in North Fayette street tomorrow afternoon at 3 o'clock.

In the corporation court today a final decree of divorce on statutory grounds was granted in the case of Emma D. Joffe Sisson from John Sisson. Robinson Moncre represented the plaintiff.

\$1.25 to Baltimore and Return Saturdays and Sundays via Pennsylvania Railroad. Tickets good returning until Sunday night. All regular trains except "Congressional Limited."—Advt.

JUDSON WILL SPEAK.

The funding of the public debt, the improvement of the Eastern branch, and the reclamation of the Anacostia flats are to be discussed at a meeting of the Northwestern Citizens' Association called for tonight in the new Masonic Hall, Tenleytown. Maj. W. V. Judson will be the principal speaker.

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NOTE.—We had prepared a full-page advertisement to appear today, containing a revised general list of items marked down to approximately half price and less; also a list of stock for which there has been no room heretofore on the racks, but owing to the heavy pressure of today's business it is deemed wiser to withhold its publication. All these items, nevertheless, will be placed on sale tomorrow.

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